

# JOURNAL OF THE SENATE

Thursday, April 27, 1939

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, April 26, 1939.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 26, 1939, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber, April 26, 1939.

*President of the Senate:*

*Sir;*

Your Committee on Engrossed Bills, to whom was referred (with amendments), after 3rd reading—

Senate Bill No. 73:

A bill to be entitled An Act to regulate the sale, possession, prescribing and dispensing certain dangerous drugs, providing certain exceptions, providing for its enforcement and penalties for violations thereof.

Have carefully examined same, and find correctly engrossed, and return same herewith.

And Senate Bill No. 73, contained in the above report, was certified to the House of Representatives.

Senator Hinely, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber, April 26, 1939.

*President of the Senate:*

*Sir;*

Your Committee on Engrossed Bills, to whom was referred (with amendments), after 3rd reading—

Senate Bill No. 168:

A bill to be entitled An Act relating to the purchase, handling, sale and accounting of sales of citrus fruit grown in the State of Florida; to prevent fraud and deception therein; to provide for the licensing and bonding of citrus fruit dealers; to prescribe certain powers and duties of the citrus commission and the Commissioner of Agriculture of the State of Florida in the administration and enforcement of this act; and to prescribe penalties for the violations of the provisions of this Act.

Have carefully examined same, and find correctly engrossed, and return same herewith.

And Senate Bill No. 168, contained in the above report, was certified to the House of Representatives.

Senate Chamber, April 26, 1939.

Senator Johns, Chairman of the Committee on Internal Affairs, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 334:

An Act to amend Section 1 of Chapter 18313, Laws of Florida, Acts of 1937, entitled "An Act to provide for the disposition of unclaimed moneys held by clerks of the Circuit Court or other public officers for the account of tax certificate holders to whom such officers are unable to make payment over of the amount paid for redemption of tax certificates within three months;" and to provide for the disposition of the funds

held by the State Treasurer pursuant to said Chapter 18313, Laws of Florida, Acts of 1937.

And Senate Bill No. 334, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Coulter, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following bills and recommends that the same do pass.

Senate Bill No. 386:

A bill to be entitled An Act for the relief of Frances Davis, widow, and Marilyn Davis and Hazel Davis, orphan children of Fred H. Davis, deceased, and providing appropriation to compensate them for the death of their husband and father respectively.

Senate Bill No. 299:

A bill to be entitled An Act for the relief of Lawrence Wiggins of Bradford County, Florida, and providing for a refund of State, County, sub-school, and road and bridge interest and sinking fund taxes erroneously collected against said person.

And Senate Bills Nos. 386 and 299, contained in the above report, were placed on the Calendar of Bills on second reading.

Senate Chamber, April 26, 1939.

Senator Gillis, Chairman of the Committee on Constitutional Amendment, reported that the Committee had carefully considered the following Joint Resolution and recommends that the same do not pass.

Senate Joint Resolution No. 105:

A Joint Resolution proposing an amendment to Article Nine (9) of the Constitution of the State of Florida, relative to taxation and finance, to be known as Section Fifteen (15) of Article Nine (9).

And Senate Joint Resolution No. 105, contained in the above report, was laid on the table.

Senate Chamber, April 26, 1939.

Senator Gillis, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Joint Resolution and recommends that the same do pass, as amended.

Senate Joint Resolution No. 377:

A Joint Resolution proposing an amendment to Article III of the Constitution of the State of Florida relating to the Legislative Department.

Amendment No. 1. In Section 35, line 3, (typewritten bill) after the word "by," insert in lieu thereof the following: "two-thirds"

Amendment No. 2. In Section 35, line 3, (typewritten bill) insert in lieu thereof the following: After the first word in line 4, insert "each house of"

And Senate Joint Resolution No. 377, contained in the above report, together with amendments thereto, was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Mapoles, Chairman of the Committee on County Organizations, reported that the Committee had carefully considered the following bill:

Senate Bill No. 150:

A bill to be entitled An Act regulating and fixing the salaries of members of Boards of County Commissioners in all counties of the State of Florida, and setting time when same shall become effective, and repealing all General and Special laws in conflict therewith.

And recommends Committee Substitute with changes therein.

Committee Substitute for Senate Bill No. 150:

A bill to be entitled An Act regulating and fixing the sal-

aries of members of Boards of County Commissioners in all counties of the State of Florida, and setting time when same shall become effective, and repealing all General and Special laws in conflict therewith.

And Senate Bill No. 150, together with Committee Substitute therefor, contained in the above report was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Savage, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following bill and recommends that the same do pass, as amended.

House Bill No. 155:

A bill to be entitled An Act fixing the time for opening and closing the polls in primary, general and special elections in the State of Florida and repealing Section 309 Compiled General Laws of Florida, 1927, being Section 253 of the Revised General Statutes of Florida, 1920.

Amendment No. 1. Strike out Section 3 and insert in lieu thereof the following:

Section 3. In all election precincts or districts where voting machines are used, the polls shall open at 7:00 A. M., on the day of Primary, General or Special Election, and shall be kept open continuously until 10:00 P. M. of the same day.

Amendment No. 2. After Section 3, add the following Section. said Section to read as follows:

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval.

And House Bill No. 155, together with amendments thereto, contained in the above report was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Savage, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following bills and recommends that they do pass.

Senate Bill No. 374:

A bill to be entitled An Act relating to all elections; and providing for the marking of ballots and voting of electors who are blind or with impaired vision.

And—

House Bill No. 92:

A bill to be entitled An Act making it unlawful to distribute political pamphlets, cards or literature of any kind or to solicit votes or attempt to solicit votes within one hundred yards of any polling place, at any General, Special or Primary Election held in this State, and providing for the enforcement and punishment for the violation of this Act.

And Senate Bill No. 374 and House Bill No. 92, contained in the above report, were placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 129:

A bill to be entitled An Act making an appropriation for the maintenance of the Judah P. Benjamin Memorial in Manatee County, Florida, and compensation of the custodian.

And Senate Bill No. 129, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Senate Concurrent Resolution and recommends that the same do not pass.

Senate Concurrent Resolution No. 10:

A resolution directing a survey to be made by the State Planning Board of the highways of the State of Florida in respect to sign boards and outdoor advertising.

And Senate Concurrent Resolution No. 10, contained in the above report, was laid on the table.

Senate Chamber, April 27, 1939.

Senator Dame, Chairman of the Committee on Public

Health, reported that the Committee had carefully considered the following bill and refers the same back without recommendation.

Senate Bill No. 272:

A bill to be entitled An Act to authorize and direct the State Board of Health to establish a home for the care and treatment of incurable children who are without finances, and provide an appropriation therefor.

And Senate Bill No. 272, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Dame, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 271:

A bill to be entitled An Act to create a Board of Examiners and registration of nurses; to provide for the qualifications, appointment, duties, powers, compensation and meetings of said Board; and to provide for the qualifications, examination and registration of nurses, attendants and aides to the sick, and the collection of fees for such examination and registration; to provide for the safe keeping of all moneys received by said Board, and the compensations of its officers and persons rendering services under its authority; and to provide for the issuance or refusal, and the revocation of certificates of registration of such nurses, attendants and aides; to define and provide for the registration of accredited hospitals and accredited schools of nursing; to define graduate nurses and provide for the issuance of temporary permits of license to nurses and attendants, and aides to the sick; to regulate the practice of nursing and of attendants and aides to the sick; and provide penalties for the violation of the provisions of this Act.

And Senate Bill No. 271, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Dame, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 178:

A bill to be entitled An Act to amend Section 1, Chapter 10201, Laws of Florida, Acts of 1925, the same being "An Act to amend Section 2212 of the Revised General Statutes of Florida, providing for examination by Board of Pharmacy and qualification of applicants" and the same being An Act entitled "An Act relating to the duties of the Board of Pharmacy of the State of Florida and the examination of pharmacists."

And Senate Bill No. 178, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber, April 27, 1939.

Senator Gideons, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 278:

A bill to be entitled An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol by weight. amending Sections 1, 5 and 15 of Chapter 16774, Laws of Florida, 1935, and Sections 1, 5 and 7 of Chapter 18015, Laws of Florida, 1937, repealing Section 8 of Chapter 16774, Laws of Florida, 1935, and Section 14 of Chapter 18015, Laws of Florida, 1937: defining the beverage act and terms used therein: providing for regulations under the beverage act; providing for bonds of manufacturers and distributors; providing penalties for the violation of the beverage act; prohibiting possession by licensees of certain beverages; rendering possessors of beverages liable for the unpaid tax thereon; providing penalties for conspiracy to violate the beverage act; providing for administration of oaths: providing regulations for warehouses in which certain beverages are stored; and providing for searches, seizures, and forfeitures.

And Senate Bill No. 278, contained in the above report, was placed on the Calendar of Bills on Second reading.

Senator Kanner, Chairman of the Committee on Rules and Calendar, moved that the rules be waived and beginning Monday, May 1, 1939, the Senate meet from 1:00 o'clock P. M., un-

til 6:00 o'clock, P. M., each day for the remainder of the calendar week.

Which was agreed to by a two-thirds vote and it was so ordered.

# INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senator Savage—  
Senate Resolution No. 16:

WHEREAS, a Committee of the Senate is now investigating the administration of old age assistance, and similar legislation; and

WHEREAS, numerous bills dealing with social welfare have been introduced in both the House and Senate of the State of Florida; and

WHEREAS, it is necessary that any legislation dealing with old age assistance, aid to the blind and child welfare meet with the approval of the appropriate agency of the United States in order to obtain a matching of State funds with Federal funds:

NOW, THEREFORE, be is resolved by the Senate of the State of Florida at the 1939 session, that the President of the Senate appoint a committee of five (5) Senators to constitute a Special Committee on Social Welfare, to which Committee shall be referred all bills dealing with old age assistance, aid to the blind and child welfare for such Committee to take appropriate action thereon, such Committee to cooperate with the Special Committee now conducting an investigation into the administration of the social welfare in Florida; and also to determine whether the bills referred to this Committee would meet Federal requirements on social welfare matters.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 16 was adopted.

Senator Whitaker moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 300, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 300:

A bill to be entitled An Act making appropriations to be used as sponsor's contributions to grants of the Works Progress Administration for the construction of certain buildings on the campus of the University of Florida.

Was taken up and read the second time in full.

Senator Whitaker moved that the rules be waived and Senate Bill No. 300 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 300 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dugger, Dye, Gillis, Gideons, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—34.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Mapoles moved that a committee be appointed to escort the Honorable E. H. Lundy, a former member of the Senate from the 1st Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Mapoles, Walker and Lewis as the committee.

# INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Black—  
Senate Bill No. 422:

A bill to be entitled An Act for the relief of L. B. Alexander, of the City of Waldo, County of Alachua, State of Florida, on account of injuries to his automobile caused by a state convict running into said car.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By the Committee on Game and Fisheries—  
Senate Bill No. 423:

A bill to be entitled An Act to establish a state fishing license for taking fresh water fish applying to all residents persons of the State of Florida above the age of fifteen years who fish with a rod and reel, artificial lures, or fly, in the waters where fresh water fish frequent, and providing penalties for violation of same.

Which was read the first time by title only.

Senator Walker moved that Senate Bill No. 423 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By Senator Sharit—  
Senate Bill No. 424:

A bill to be entitled An Act to provide for increasing the number of instruction units allotted a county when an emergency exists by reason of increased school attendance.

Which was read the first time by title only and referred to the Committee on Education.

By Senator Dye—  
Senate Bill No. 425:

A bill to be entitled An Act for the relief of and to provide for the refunding to G. B. Knowles, of Bradenton, Manatee County, Florida, the sum of \$226.36 as damages for injury to his automobile occasioned by negligence of an employee of the State of Florida, on the Green Bridge between Palmetto and Bradenton, Florida.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Westbrook—  
Senate Bill No. 426:

A bill to be entitled An Act appropriating a part of each fund now in the State Treasury to the credit of certain boards, departments and/or commissions to the general fund of the state; and requiring the contribution of and from such funds now existing and hereafter to be created of a percentage of such collections to be paid to the general revenue fund of the state.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Westbrook—  
Senate Bill No. 427:

A bill to be entitled An Act to provide for a regular license year for issuing commercial licenses under the provisions of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game; to define what shall be known as commercial licenses under the terms of this Act and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 428:

A bill to be entitled An Act assenting to the provisions of Congress entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects and for other purposes," approved September 2, 1937; and prohibiting the diversion of the funds accruing to the State of Florida from license fees paid by hunters for any purpose other than the Administration of the Department of Game and Fresh Water Fish of Florida.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 429:

A bill to be entitled An Act to amend section 61 of Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water Fish and Game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 430:

A bill to be entitled An Act to amend Section 56 of Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water Fish and Game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 431:

A bill to be entitled An Act to amend Section 55 of Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water Fish and Game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 432:

A bill to be entitled An Act to amend Section 20 of Chapter 13644, Laws of Florida, Acts of 1929, as amended by Chapter 17015, Acts of 1935, relating to Fresh Water Fish and Game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 433:

A bill to be entitled An Act to amend Section 36 of Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water Fish and Game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 434:

A bill to be entitled An Act to amend Section 38 of Chapter 13644, Laws of Florida, Acts of 1929, relating to Fresh Water Fish and Game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 435:

A bill to be entitled An Act to place black bear on the list of game animals and establishing an open season for taking black bear and providing penalties for the violation of this Act.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 436:

A bill to be entitled An Act to amend Section 49 of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 437:

A bill to be entitled An Act to amend Section 43, Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Westbrook—  
Senate Bill No. 438:

A bill to be entitled An Act to amend Section 44, Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator McKenzie—  
Senate Bill No. 439:

A bill to be entitled An Act to amend Section 1 of Chapter 13809, Laws of Florida, Acts of 1929, entitled: "An Act to

create a board consisting of the Governor, the Commissioner of Agriculture and the State Marketing Commissioner, to be known as the State Agricultural Marketing Board, to define its duties and powers and make appropriation for the carrying out of the provisions thereof," as amended by Chapter 15860, Laws of Florida, Acts of 1933, entitled: "An Act amending Section 1 of Chapter 13809, Laws of Florida, Acts of 1929, relating to the creation of the State Agricultural Marketing Board, defining its powers and duties and making an appropriation therefor," so as to provide for an appropriation from the General Revenue fund for the fiscal year beginning July 1, 1939.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Holland—  
Senate Bill No. 440:

A bill to be entitled An Act relating to premium taxes on persons, firms, associations or corporations doing an insurance business in the State of Florida, and making appropriation for refunds in case of overpayment.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senators Holland and Lewis:  
Senate Bill No. 441:

A bill to be entitled An Act to amend Chapter 18,144, Laws of Florida, approved June 10, 1937, entitled "An Act to declare the necessity of establishing "Soil conservation districts"; to engage in conserving soil resources and preventing and controlling soil erosion; to establish the state soil conservation committee, and to define its powers and duties; to provide for the establishment of soil conservation districts; to define the powers and duties of soil conservation districts; and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for the establishment of boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for discontinuance of such soil conservation districts, and for other purposes," to create a state soil conservation board and to prescribe its powers and duties and for other purposes.

Which was read the first time by title only and referred to the Committee on Agriculture and Livestock.

By Senator Kendrick—  
Senate Bill No. 442:

A bill to be entitled An Act to amend Section 182 of the charter of the City of St. Augustine (being Chapter 11148, Laws of Florida, Acts of 1925, and Acts amendatory thereof) as amended by Section 77 of Chapter 14375, Laws of Florida, Acts of 1929, relating to the making of contracts by said city with individuals, companies or corporations for furnishing electric power and energy; and repealing all laws or parts of laws in conflict therewith.

The following proof of publication was attached to Senate Bill No. 442 when it was introduced in the Senate:

STATE OF FLORIDA )  
 ) SS:  
COUNTY OF ST. JOHNS)

Before the undersigned authority personally appeared A. H. Tebault, business manager of the St. Augustine Record, a daily newspaper of general circulation published in the City of St. Augustine, County of St. Johns, State of Florida, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to the amendment of Section 182 of the charter of the City of St. Augustine (being Chapter 11148 of the laws of Florida, Acts of 1925) as amended by Section 77 of Chapter 14375, Laws of Florida, Acts of 1929, relating to the making of contracts by said city with individuals, companies or corporation for furnishing electric power and energy, and repealing all laws or parts of laws in conflict therewith, has been published at least thirty days prior to this date, by being printed in the issue of March 28th, 1939, of the St. Augustine Record, a newspaper published in the City of St. Augustine, St. Johns County, Florida; that a copy of the notice that has been published as aforesaid and

also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

A. H. TEBAULT,  
Business Manager, St. Augustine Record.

Sworn to and subscribed before me this April 26th, 1939.

(SEAL)

JOSEPHINE VERSAGGI,  
Notary Public, State of Florida.

My commission expires: Nov. 19, 1940.

Record Co. 131169

Copy of Advertisement

# NOTICE OF SPECIAL LEGISLATURE

Notice is hereby given of the intention to apply to the Legislature of the State of Florida, at its regular session, A. D. 1939, for passage of a bill affecting the City of St. Augustine, said proposed special act to be in substance as follows:

A bill to be entitled An Act to amend Section 182 of the charter of the City of St. Augustine (being Chapter 11148, Laws of Florida, Acts of 1925, and Acts amendatory thereof) as amended by Section 77 of Chapter 14375, Laws of Florida, Acts of 1929, relating to the making of contracts by said City with individuals, companies or corporations for furnishing electric power and energy; and repealing all laws or parts of laws in conflict therewith.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

SECTION 1. That Section 182 of the Charter of the City of St. Augustine (being Chapter 11148 of the Laws of Florida, Acts of 1925, and acts amendatory thereof) as Acts of 1929, relating to the making of contracts by said city with individuals, companies or corporations for furnishing electric power and energy, be amended to read as follows:

Section 182. The City Commission may, by Ordinance or Resolution, contract with one or more individuals, companies or corporations for the lighting of the public streets, buildings, bridges and other public places of the City, and for the furnishing of electric power and energy for public purposes.

SECTION 2. All laws and parts of laws in conflict herewith be, and the same are, hereby repealed.

SECTION 3. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without his approval.

CITY OF ST. AUGUSTINE,

By WALTER B. FRASER,

Mayor-Commissioner.

Attest:

CHAS. E. KETTLE,  
City Auditor and Clerk.

March 27th, 1939.

(SEAL OF THE CITY OF ST. AUGUSTINE, FLORIDA).

M28-A4-11-18-25-adv.

STATE OF FLORIDA )

) SS:

COUNTY OF ST. JOHNS )

Personally appeared before me, a Notary Public for the State of Florida at Large, A. H. Tebault who deposes and says that he is Business Manager of the St. Augustine Record, a daily newspaper printed in the English language and of general circulation, published in the City of St. Augustine, in said County and State; and that the attached order, notice, publication and/or advertisement of Notice of Special Legislation was published in said newspaper weekly for a period of five weeks consecutively, beginning March 28 and ending April 25 and publication being made on the following dates:

March 28, April 4, 11, 18 and 25, 1939.

And deponent further says that St. Augustine Record has been continuously published as a daily newspaper except Saturdays, and has been entered as second class mail matter at the post office in the City of St. Augustine, St. Johns County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice, publication and/or advertisement.

A. H. TEBAULT,  
Business Manager.

Subscribed and sworn to before me this 26th day of April A. D. 1939.

GLADYS STEVENS,  
Notary Public,  
(Seal).

Notary Public State of Florida at Large.

My Commission Expires Feb. 15, 1941.

Which was read the first time by title only.

Senator Kendrick moved that the rules be waived and Senate Bill No. 442 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 442 was read the second time by title only.

Senator Kendrick moved that the rules be further waived and Senate Bill No. 442 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 442 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th Dist.), Kelly (16th Dist.), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Privileges and Elections—

Senate Bill No. 443:

A bill to be entitled An Act to amend Section 8 of Chapter 13893, Laws of Florida, 1929, being an act to authorize the county commissioners of any county, or the governing body of any municipality, within the State of Florida, to adopt for use or use experimentally a voting machine or voting machines for the conduct of elections in such counties or municipalities, and setting forth the requirements of such voting machines, and prescribing the method of conducting elections by and with the use of such voting machines, and directing how the official returns of elections conducted with the aid of such voting machines shall be made, and providing a penalty for unlawfully possessing such voting machines or the keys thereto and prescribing a penalty for wilfully tampering, or attempting to tamper, disarrange, deface or impair such voting machines, and also defining some of the terms used in this act and to amend Sections 4, 5 and 11 of Chapter 18405, Laws of Florida, 1937, being an Act to amend Sections 1, 3, 4, 10, 14, 16, 23, 24 and 27, of Chapter 13893, General Laws of 1929, being An Act to authorize the county commissioners of any county, or governing body of any municipality, within the State of Florida, to adopt for use or use experimentally, a voting machine or voting machines for the conduct of elections in such counties or municipalities, and setting forth the requirements of conducting elections by and with the use of such voting machines and directing how the official returns of elections conducted with the aid of such voting machines shall be made, and providing a penalty for unlawfully possessing such voting machines or the keys thereto and prescribing a penalty for wilfully tampering or attempting to tamper, disarrange, deface, or impair such voting machines, and also defining some of the terms used in this act; and providing for other matters relating to the adoption and use of voting machines and providing for the duties of certain municipalities in regard thereto.

Which was read the first time by title only.

Senator Savage moved that the rules be waived and Senate Bill No. 443 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 443 was read the second time by title only.

Senator Savage moved that the rules be further waived and Senate Bill No. 443 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 443 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President: Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th Dist.), Kelly (16th Dist.), Kendrick, Lewis, Lindler.

Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Savage, Sharit Ward, Westbrook, Whitaker, Wilson—36.

N.Ys—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Graham—  
Senate Bill No. 444:

A bill to be entitled An Act "for the relief of the M. F. Comer Bridge and Foundation Company."

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By the Committee on State Institutions—  
Senate Bill No. 445:

A bill to be entitled An Act authorizing autopsies on deceased patients of the Florida State Hospital and prescribing the conditions on which such autopsies may be held and performed.

Which was read the first time by title only.

Senator Wilson moved that Senate Bill No. 445 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By Senator Parker—  
Senate Bill No. 446:

A bill to be entitled An Act fixing and prescribing certain motor vehicle license plate fees for certain motor vehicles.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Holland—  
Senate Bill No. 447:

A bill to be entitled An Act prescribing the maximum fees to be allowed Clerks of Circuit Courts for sale or redemption of State Tax Certificates on lands lying outside municipalities which have been sub-divided into lots, blocks or tracts as evidenced by a plat or plats duly filed among or recorded in the public records of any county and for which no returns for taxation have been made as sub-divided for more than three years.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Dugger—  
Senate Bill No. 448:

A bill to be entitled An Act making it unlawful for any incorporated or unincorporated municipality in the State of Florida, having a population of not more than seven hundred and fifty (750) persons, according to the state census of 1935, to patrol any highway running through said municipality, when such highway is owned and/or maintained by the State and/or the County, unless such patrol privileges are authorized in writing by the Sheriff of the County, in which said municipality is located, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Dugger—  
Senate Bill No. 449:

A bill to be entitled An Act appropriating fifty thousand dollars for use by the State Agricultural Marketing Board in establishing and maintaining in the State of Florida a market for the selling and processing of livestock.

Which was read the first time by title only and referred to the Committee on Appropriations.

By the Joint Committee on Prisons and Convicts—  
Senate Bill No. 450:

A bill to be entitled An Act authorizing the Commissioner of Agriculture to establish and maintain a State Bureau of Identification and Criminal Information; providing authority in the various peace officers of the State and others to take fingerprints, photographs and other necessary data of those charged with or suspected of crime, and providing for the interchange of such information and data.

Which was read the first time by title only.

Senator Dugger moved that Senate Bill No. 450 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By the Joint Committee on Prisons and Convicts—  
Senate Bill No. 451:

A bill to be entitled An Act to amend Section 6231, Revised General Statutes of the State of Florida, 1920, relating to gain time to be allowed to prisoners for good conduct, as amended by Chapter 18065, Laws of Florida, Acts of 1937, so as to have the gain time provision apply to county prisoners as well as to state prisoners.

Which was read the first time by title only.

Senator Dugger moved that Senate Bill No. 450 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By the Joint Committee on Prisons and Convicts—  
Senate Bill No. 452:

A bill to be entitled An Act to amend Section 6125 of the Revised General Statutes of Florida, relating to the manner and means of inflicting punishment of death in this State, as amended by Section 3 of Chapter 9169, Laws of Florida, Acts of 1923, so as to provide for the Board of Commissioners of State Institutions to employ some person to pull the electric switch in inflicting death by electrocution.

Which was read the first time by title only.

Senator Dugger moved that Senate Bill No. 452 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By Senator Parker—  
Senate Bill No. 453:

A bill to be entitled An Act to amend Section 1, of Chapter 14782, Laws of Florida, Acts of 1931, the same being entitled an Act providing for a monthly allowance in the form of a pension to school teachers who have taught in the public free schools of the State of Florida for thirty-five or more years and who are incapacitated and without means of support; providing a method of determining when such teachers are entitled to such pension or allowance and making appropriation to take care of the requirements of such pension or allowance.

Which was read the first time by title only and referred to the Committee on Appropriation.

By Senator Kelly (16th)—  
Senate Bill No. 454:

A bill to be entitled An Act providing for limited surety companies, the rights, powers, privileges, duties, obligations and liabilities of such companies and authorizing such limited surety companies to become sureties upon any bonds in judicial proceedings, whether civil or criminal and to become surety or guarantor upon bonds, obligations, contracts and agreements where the amount of such bond or other obligation shall not exceed five hundred (\$500.00) dollars; providing for the issuance and revocation of a certificate of authority and for the duties of certain state and county officers; providing for an adequate deposit of bonds or other securities with the State Treasurer and for licenses and taxes; providing penalties for violations of said Act.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senators Dame and McKenzie—  
Senate Bill No. 455:

A bill to be entitled An Act to amend Chapter 5931 Acts of the Legislature of 1909, being "An Act to authorize the State Board of Health to adopt, promulgate and enforce rules and regulations for the betterment and protection of the public health of the State of Florida."

Which was read the first time by title only and referred to the Committee on Public Health.

By Senators Dame and McKenzie—  
Senate Bill No. 456:

A bill to be entitled An Act to amend Section 1, Chapter 12289, Acts of the Legislature of 1927, being a bill entitled "An Act providing for the supervision and control by State Board of Health over all water supply, sewerage, sewage,



wastes and refuse disposal systems in the State, in so far as their sanitary and physical conditions affect the public health and providing penalties for the violation of this Act."

Which was read the first time by title only and referred to the Committee on Public Health.

By Senators Dame and McKenzie—  
Senate Bill No. 457:

A bill to be entitled An Act to amend Chapter 12419 Acts of the Legislature of 1927 being a bill entitled "An Act regulating the operation and maintenance of tourist camps; giving the owners or keepers thereof liens in certain cases; and prescribing the manner in which the same may be enforced; empowering the State Board of Health to issue permits to operate such camps, and power to revoke the same; to make rules and regulations relating to the operation of such camps; and prescribing penalties in certain cases."

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Black—  
Senate Bill No. 458:

A bill to be entitled An Act to amend Section 26 of Chapter 12760, Laws of Florida, Acts of 1927, being "An Act to abolish the present municipal government of the City of Gainesville, in the County of Alachua, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Gainesville, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges"; and to provide for the payment and redemption of delinquent taxes on real estate and personal property for the year 1937 and all previous years.

The following proof of publication was attached to Senate Bill No. 458, when it was introduced in the Senate:

STATE OF FLORIDA, ) No. 4705  
ALACHUA COUNTY. )

PERSONALLY CAME BEFORE ME L. C. PEPPER—Publisher of the Gainesville Sun, a daily newspaper published in City of Gainesville, Alachua County, Florida, who being duly sworn, deposes and says that the advertisement of Notice of Special Legislation, in the case of

a copy of which is hereunto attached, was duly published and advertised in the regular issue of said newspaper once each week consecutively for the period of one week preceding the 11th day of March, A. D. 1939 as required by law, to-wit: In the issues dated March 10, 1939.

Sworn to and subscribed before me this 31st day of March, 1939.  
(Signed) J. C. ADKINS,  
Notary Public, State of Florida. (Seal)  
My Commission Expires Oct. 7, 1942.

L. C. PEPPER.

#### NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that thirty days after the publication of this notice the undersigned will present to and request the ensuing session of the Legislature of the State of Florida to pass and adopt:

A bill to be entitled An Act to amend Section 26 of Chapter 12760, Laws of Florida, Acts of 1927, being "An Act to abolish the present municipal government of the City of Gainesville, in the County of Alachua, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Gainesville, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges"; and to provide for the payment and redemption of delinquent taxes on real estate and personal property for the year 1937 and all previous years.

R. L. BLACK,  
Senator 32nd Senatorial District.

Which was read the first time by title only.

Senator Black moved that the rules be waived and Senate Bill No. 458 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 458 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 458 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 458 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Black—  
Senate Bill No. 459:

A bill to be entitled An Act creating the elective office of County Attorney in and for Alachua County, Florida, fixing the term of said office and the method of filling same, prescribing the duties of said County Attorney and fixing and prescribing his compensation therefor.

The following proof of publication was attached to Senate Bill No. 459 when it was introduced in the Senate:

STATE OF FLORIDA, ) Dup  
ALACHUA COUNTY ) No. 4704

PERSONALLY CAME BEFORE ME L. C. PEPPER—Publisher of the Gainesville Sun, a daily newspaper published in the City of Gainesville, Alachua County, Florida, who being duly sworn deposes and says that the advertisement of Notice of Special Legislation, in the case of a copy of which is hereunto attached, was duly published and advertised in the regular issue of said newspaper once each week consecutively for the period of One week preceding the 11th day of March, A. D. 1939, as required by law, to-wit: In the issues dated March 10, 1939.

Sworn to and subscribed before me this 31st day of March, 1939.

(Signed) J. C. ADKINS,  
Notary Public, State of Florida. (Seal)  
My Commission Expires Oct. 7, 1942.  
(Signed) L. C. PEPPER.

#### NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that thirty days after the publication of this notice the undersigned will request the ensuing session of the Legislature to pass and adopt:

"A bill to be entitled An Act creating the elective office of County Attorney in and for Alachua County, Florida, fixing the term of said office and the method of filling same, prescribing the duties of said County Attorney and fixing and prescribing his Compensation thereof."

R. L. BLACK,  
Senator 32nd Senatorial District.

Which was read the first time by title only.

Senator Black moved that the rules be waived and Senate Bill No. 459 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 459 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 459 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 459 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th Dist.), Kelly (16th Dist.), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—  
Senate Bill No. 460:

A bill to be entitled An Act to suppress unfair and fraudu-

lent practices in the marketing of tomatoes grown, packed or offered for sale in the State of Florida; defining grades, requiring marking of packages, regulating shipping on consignment; providing for inspection and providing for penalties for the violation thereof, providing for certain exemptions; requiring records and repealing all laws in conflict herewith:

Which was read the first time by title only and referred to the Committee on Citrus Fruit.

By Senator Clarke—

Senate Bill No. 461:

A bill to be entitled An Act fixing the time at which certain tax sale certificates shall be declared cancelled by operation of law, and beyond which time such tax certificates shall be invalid and have no effect upon the title to the property sold for the non-payment of taxes for which such tax certificates have been or shall be issued, and prescribing the duty of the clerks of the circuit court in respect thereto.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

Senator McKenzie moved that a committee be appointed to escort the Honorable S. J. Hilburn, a former member of the Senate from the 26th Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators McKenzie, Clarke and Kendrick as the committee.

#### MESSAGES FROM THE GOVERNOR

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
April 25th, 1939

Hon. J. Turner Butler,  
President of the Senate.  
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 82 relating to schools.

Respectfully yours,

FRED P. CONE,

Governor.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 27, 1939.

Sir:

Hon. J. Turner Butler,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 32:

A bill to be entitled An Act to provide for the purchase distribution and administration of Anti-Hog Cholera Serum and Hog Cholera Virus by the State Live Stock Sanitary Board; making an appropriation therefor; and repealing Chapter 18153, Laws of Florida, Acts of 1937, being "An Act to provide for the purchase, distribution and administration of Anti-Hog Cholera Serum and Hog Cholera Virus in the State of Florida by the State Live Stock Sanitary Board; making appropriation therefor and creating a fund to be known as the serum fund."

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 32, contained in the above message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 27, 1939.

Hon. J. Turner Butler,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has passed:

By Messrs. Cooley and Robinson of Lake—

House Bill No. 3:

A bill to be entitled An Act referring to corporations and the restoration of the corporate privileges and corporate entity of corporations dissolved by operation of law for failure to pay the capital stock tax, and prescribing conditions for such restoration.

Also—

By Messrs. Slappey of Gadsden, Drummond of Holmes, Stewart of Hendry, and Scales of Taylor—

House Bill No. 63:

A bill to be entitled An Act relating to the sale of pledged collateral and amending Section 4845, revised General Statutes of 1920.

Also—

By Messrs. Morrow and Beck of Palm Beach—

House Bill No. 282:

A bill to be entitled An Act to amend Section Five of Chapter 17708, Laws of Florida, Acts of 1937, being: "An Act granting to the several Counties of Florida the right to acquire airports, and declaring the acquirement and operation of airports to be a public and County purpose; granting power to the several Counties of Florida to acquire private property for aeronautical purposes by eminent domain; declaring manner of paying for such property; granting authority to equip and improve airports and to operate them and to establish fees and charges, and to lease such ports or portions thereof; declaring manner of raising and expending funds for airport operation; granting authority to acquire air rights, to zone and regulate height of building and structures affecting air travel; to acquire easements or marking purposes, to police airports, and to cancel lien of taxes on land so acquired and to validate certain Acts." To provide for leasing such ports or portions thereof to private parties for a term not exceeding twenty years.

And respectfully requests the concurrence of the Senate.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 3, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B."

And House Bill No. 63, contained in the above message, was read the first time by title only and referred to the Committee on Banking and Building and Loans.

And House Bill No. 282, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B."

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 27, 1939.

Hon. J. Turner Butler,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1939 session of the Legislature.

House Joint Resolution No. 50:

A Joint Resolution proposing an amendment to Article IX of the Constitution of Florida relating to taxation and finance by adding thereto an additional section, to be known as Section 15, specially forbidding the adjustment, compromise or cancellation of any state, county or district tax which has been legally assessed and levied.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article IX of the Constitution of Florida relating to taxation and finance by adding thereto an additional Section, to be known as Section 15 of said Article IX, specially forbidding the adjustment, compromise or cancellation of any State, County or District tax which has been legally assessed and levied, is hereby agreed to and shall be submitted to the electors of the State of Flor-



ida for ratification or rejection at the next general election to be held in 1940, as follows:

"Section 15. No State, County or District Tax which has been legally assessed and levied shall ever be adjusted, compromised or cancelled unless provision be made for such compromise, adjustment or cancellation by act of the Legislature approved by a vote of two-thirds of all the members of each House provided that municipal corporations and drainage districts are expressly exempted herefrom.

And respectfully requests the concurrence of the Senate therein.

Very respectfully.

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Joint Resolution No. 50, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

Senator Westbrook moved that the rules be waived and when the Senate reconvenes at 2:30 o'clock P. M., it take up the consideration of House Bills on the Calendar.

Which was agreed to by a two-thirds vote and it was so ordered.

#### ORDER OF THE DAY

Senate Bill No. 121, which was pending motion of Senator Parrish to reconsider the vote by which Senate Bill No. 121 failed to pass the Senate on April 25, 1939, was taken up in its order and the consideration thereof was informally passed.

#### SENATE BILLS ON SECOND READING

Senate Bill No. 68 was taken up in its order and the consideration thereof was informally passed.

Senator Beall moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 230, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 230:

A bill to be entitled An Act relating to the exercise of eminent domain: providing that the State of Florida, any County, Municipal Corporation, Public Body, Commission or Housing Authority may take immediate possession of property involved in any condemnation suit instituted by such public body and that the Court shall make orders with respect to the date upon which the property shall be surrendered and with respect to encumbrances, liens, taxes and other charges; providing for the filing of a declaration of taking, the determination and making of an adequate deposit with the Clerk of the Court to satisfy the judgment of award of compensation: providing for the entry of judgments against the petitioner, the satisfaction thereof and the issuance of executions thereon.

Was taken up and read the second time in full.

The Committee on Judiciary "B" offered the following amendment to Senate Bill No. 230:

In title (typewritten bill) strike out the lines Two (2), Three (3), Four (4), Five (5), and Six (6), and insert in lieu thereof the following: "providing that any housing authority created under the Laws of Florida may take immediate possession of property involved in any condemnation suit instituted by such housing authority and that the Court shall"

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Judiciary "B" also offered the following amendment to Senate Bill No. 230:

In Section 1, B. (2) strike out paragraph (b) and insert in lieu thereof the following:

"(b) The failure of any non resident or unknown party or parties whose address is alleged in the petition to be unknown to receive the notice, shall not invalidate the proceedings of the Court or any order made pursuant to the provisions of this act."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Judiciary "B" also offered the following amendment to Senate Bill No. 230:

In Section 1 A. (typewritten bill) strike out the lines Two (2), Three (3), Four (4) and Five (5) and insert in lieu thereof the following:

"State of Florida, which has been or may be instituted by and in the name of any housing authority created under the provisions of Chapter 17,981, Laws of Florida, Acts of 1937, or under any other laws creating or authorizing the creation of housing authorities within the State of Florida, for the"

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Judiciary "B" also offered the following amendment to Senate Bill No. 230:

In Section 9 (typewritten bill) strike out the lines One (1), Two (2), Three (3) and Four (4) and insert in lieu thereof the following:

"In any case in which any housing authority created under the Laws of Florida, has taken or may take"

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be waived and Senate Bill No. 230, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 230, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dugger, Dye, Gillis, Gideons, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parker, Price, Savage, Sharit, Walker, Ward, Whitaker—30.

Nays—Senator Rose—1.

So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Kelly (16th) moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 282, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 282:

A bill to be entitled An Act to repeal Chapter 17005, Laws of Florida, Acts of 1935, relating to the use of certain seines and nets in the taking of menhaden in the waters of the State of Florida.

Was taken up and read the second time in full.

Senator Kelly (16th) moved that the rules be waived and Senate Bill No. 282 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 282 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Dame, Dugger, Dye, Gideons, Graham, Hinely, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parker, Price, Rose, Savage, Sharit, Ward, Whitaker, Wilson—28.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Rose moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 254, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 254:

A bill to be entitled An Act to amend Section 4 and Section 5 of Chapter 18284, Laws of Florida, Acts of 1937, being An Act entitled: "An Act relating to the admission of patients to the State Tuberculosis Sanatorium and providing for the payment of the care and maintenance charges of such patients therein."

Was taken up and read the second time in full.

Senator Rose moved that the rules be waived and Senate Bill No. 254 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 254 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Ward, Whitaker, Wilson—33.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beacham moved that a committee be appointed to escort Honorable Roy A. Schroeder, State Administrator of the Works Progress Administration and former Secretary to United States Senator Charles Andrews, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Beacham, Dye and Kelly (11th) as the committee.

Senator Parker moved that the hour of adjournment be extended ten (10) minutes.

Which was agreed to and it was so ordered.

Senator Parker moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 119, out of its order.

Which was agreed to by a two-thirds vote.

By Senator Parker—  
Senate Bill No. 119:

A bill to be entitled An Act to repeal Section 3954, 3955 and 3956 of the Revised General Statutes of Florida, 1920, being Sections 5873, 5874, 5875 of the Compiled General Laws of Florida, 1927, and being Chapter 1476, Laws of Florida, Acts of the 1866 Session of the Legislature, relating to the support by the children of parents who are unable to support themselves, providing for proceedings in connection therewith and enforcing any order made thereon.

Was taken up and read the second time in full.

Senator Parker moved that the rules be waived and Senate Bill No. 119 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 119 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Coulter, Dame, Dugger, Gideons, Graham, Hinely, Hodges, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, Parker, Parrish, Rose, Sharit, Walker, Whitaker—26.

Nays—Senators Clarke, Dye, Gillis, Holland, Lewis, Price, Savage, Ward, Wilson—9.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The hour of adjournment having arrived, a point of order was called and the Senate took a recess at 1:10 o'clock P. M. until 2:30 o'clock P. M., this day.

## AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

A quorum present.

Senator Gillis now presiding.

Senator Butler was excused from attendance upon this session.

Pursuant to the motion made by Senator Westbrook at the morning session that the Senate devote the afternoon session to House Bills on the Calendar, the Senate took up for consideration the following House Bills on the Calendar:

## HOUSE BILLS ON SECOND READING

House Bill No. 194:

A bill to be entitled An Act amending Section 5, of Chapter 13761, Laws of Florida, Acts of 1929, entitled, "An Act repealing Sections 370, 410, 412 of Compiled General Laws, 1927, being same as Sections 313, 353 and 355 of Revised General Statutes, 1920, and amending Sections 356, 359, 361, 386, 387, 400, 401, 405, 406, 407, 408, 409, 411 and 421, Compiled General Laws of Florida, 1927, being Sections 300, 303, 305, 329, 330, 343, 344, 348, 349, 350, 351, 352, 354 and 364, Revised General Statutes of Florida, 1920, relating to primary elections providing for a second primary election, abolishing second choice voting, and relating to the qualification of voters and the registration of voters, and other matters in connection therewith," being Section 387, Compiled General Laws, 1927, by changing to forty-five days the time for candidates for county offices to file their sworn statements and receipts for committee assessments.

Was taken up and read the second time in full.

Senator Kelly (16th) moved that the rules be waived and House Bill No. 194 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 194 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Dame, Dugger, Gillis, Gideons, Graham, Hodges, Holland, Kanner, Kelly (16th), Kendrick, Lindler, McKenzie, Price, Rose, Sharit, Walker, Westbrook, Wilson—21.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Holland moved that the rules be waived and the Senate do now take up and consider House Bill No. 195, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 195:

A bill to be entitled An Act to amend Section 4, of Chapter 13761, Laws of Florida, Acts of 1929, entitled, "An Act repealing Sections 370, 410, 412 of Compiled General Laws, 1927, being same as Sections 313, 353 and 355 of Revised General Statutes, 1920, and amending Sections 356, 359, 361, 386, 387, 400, 401, 405, 406, 407, 408, 409, 411 and 421, Compiled General Laws of Florida, 1927, being Sections 300, 303, 305, 329, 330, 343, 344, 348, 349, 350, 351, 352, 354 and 364, Revised General Statutes of Florida, 1920, relating to primary elections providing for a second primary election, abolishing second choice voting and relating to the qualification of voters and the registration of voters, and other matters in connection therewith," as amended by Chapter 16990, Laws of Florida, Acts of 1935, entitled, "An Act to amend Section 329 Revised General Statutes as amended by Section 4 of Chapter 13761, Acts 1929, Laws of Florida, relating to time for paying fee and qualifying by candidates for State offices running in primary election," being Section 386, Compiled General Laws of 1927 (supplement), by changing to forty-five days the time for candidates for State offices to file their sworn statements and receipts for committee assessments.

Was taken up and read the second time in full.

Senator Holland moved that the rules be waived and House Bill No. 195 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 195 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Westbrook, Wilson—30.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Kelly (16th) withdrew Senate Bills Nos. 138 and 139.

House Bills Nos. 17 and 18 were taken up in their order and the consideration thereof was informally passed.

House Bill No. 241:

A bill to be entitled An Act appropriating moneys for the use and benefit of the Florida National Exhibits, Inc., in connection with the establishment and maintenance of the Florida Exhibit at the New York World Fair.

Was taken up and read the second time in full.

Senator Westbrook moved that the rules be waived and House Bill No. 241 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 241 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Dugger, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, McKenzie, Murphy, Parrish, Price, Sharit, Walker, Westbrook, Whitaker, Wilson—25.

Nays—Senators Clarke, Dye, Horne, Johns, Rose—5.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Westbrook withdrew Senate Bill No. 128.

House Bill No. 37:

A bill to be entitled An Act for the relief of Glades County, Florida, and to cancel that certain debt due the State of Florida by the said Glades County for a loan executed under Chapter 11,841, Laws of Florida, Acts of 1927.

Was taken up and read the second time in full.

Senator Murphy moved that the rules be waived and House Bill No. 37 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 37 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker—33.

Nays—None.

So the bill passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 205:

A bill to be entitled An Act for the relief of M. E. Decker. Was taken up and read the second time in full.

Senator Kanner moved that the rules be waived and House Bill No. 205 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 205 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dugger, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker—30.

Nays—Senators Gillis, Hinely—2.

So the bill passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 207:

A bill to be entitled An Act for the relief of Oscar Osteen and Edgar R. Brown.

Was taken up and read the second time in full.

Senator Kanner moved that the rules be waived and House Bill No. 207 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 207 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dugger, Dye, Gillis, Graham, Hinely, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Savage, Sharit, Walker, Ward, Westbrook, Whitaker—30.

So the bill passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature, and the action of the Senate was certified to the House of Representatives.

House Bill No. 66:

A bill to be entitled An Act for the relief of Elego Vasiliou Johns.

Which was taken up and read the second time in full.

Senator Kelly (11th) moved that the rules be waived and House Bill No. 66 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 66 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, McKenzie, Murphy, Parrish, Price, Savage, Walker, Ward, Westbrook, Whitaker, Wilson—26.

Nays—Senators Clarke, Dugger, Gillis, Hinely, Lewis, Lindler, Rose—7.

So the bill passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 67:

A bill to be entitled An Act for the relief of Olga Andrea Christodoulou.

Which was taken up and read the second time in full.

Senator Kelly (11th) moved that the rules be waived and House Bill No. 67 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 67 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Mapoles, McKenzie, Parker, Parrish, Price, Savage, Sharit, Walker, Ward, Westbrook, Whitaker—27.

Nays—Senators Clarke, Dugger, Gillis, Hinely, Lewis, Lindler, Rose—7.

So the bill passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 19:

A bill to be entitled An Act for the relief of Angelina Samarkos.

Which was taken up and read the second time in full.

Senator Kelly (11th) moved that the rules be waived and House Bill No. 19 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 19 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Mapoles, McKenzie, Parker, Parrish, Price, Savage, Sharit, Walker, Ward, Westbrook, Whitaker—26.

Nays—Senators Clarke, Dugger, Gillis, Hinely, Kendrick, Lewis, Lindler, Rose—8.

So the bill passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session

of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

#### HOUSE MEMORIALS

##### House Memorial No. 3:

A Memorial to Congress requesting that the Congress of the United States by some appropriate method give relief to the several Counties of the State of Florida for the loss of taxes sustained by Counties of Florida in which Federal Agencies have acquired lands, thereby striking same from the tax rolls of said respective Counties.

Was taken up and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 3 was adopted.

Senator Horne moved that a committee be appointed to escort Honorable G. Frank Andrews, former Senator from the 10th Senatorial District, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Horne, Whitaker and Savage as the committee.

Senator Rose moved that the rules be waived and that when the Senate adjourns at this Session it adjourn at 4:00 o'clock P. M. today.

Which was agreed to by a two-thirds vote and it was so ordered.

##### House Memorial No. 5:

Requesting the Congress to enact appropriate legislation to prohibit the exportation of scrap iron and other materials designed for armaments to aggressor nations who are dominated by dictators and militaristic leaders.

Was taken up and read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 5 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Savage moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 182, out of its order.

Which was agreed to by a two-thirds vote.

##### Senate Bill No. 182:

A bill to be entitled An Act granting and providing for the payment of compensation to James S. Dunning for injuries received while in the performance of his duties for the State of Florida.

Was taken up and read the second time in full.

Senator Black offered the following amendment to Senate Bill No. 182:

In Section 1, line 2 and 3 (printed bill) (typewritten bill) strike out the words: five thousand dollars; and insert in lieu thereof the following: thirty-six hundred dollars, in the following manner, to-wit: The sum of six hundred dollars immediately upon this Act becoming a law, and the sum of fifty dollars each month thereafter for a period of sixty months, until a total sum of thirty-six hundred dollars has been paid.

Senator Black moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Savage moved that the rules be waived and Senate Bill No. 182, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 182, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Coulter, Dame, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—32.

Nays—Senators Clarke, Dugger, Gillis, Hinely, Lewis—5.

So the bill passed, as amended, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 session of the Florida Legislature and was referred to the Committee on Engrossed Bills.

Senator Beacham moved that a committee be appointed to

escort Honorable William C. Brooker of Tampa, State Commander of the American Legion, and Honorable William T. Comer of Orlando, Immediate Past State Commander of the American Legion, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Beacham, Holland and Kendrick as the committee.

Senator Lewis, as Chairman of the Committee on Judiciary "C," moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 117, out of its order.

Which was agreed to by a two-thirds vote.

##### Senate Bill No. 117:

A bill to be entitled An Act to repeal Chapter 4247, Laws of Florida, Acts of 1893, entitled: "An Act to Incorporate the Florida Annual Conference of the Methodist Episcopal Church, South."

Was taken up and read the second time in full.

Senator Lewis moved that the rules be waived and Senate Bill No. 117 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 117 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker—33.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ward moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 161, out of its order.

Which was agreed to by a two-thirds vote.

##### Senate Bill No. 161:

A bill to be entitled An Act for the relief of P. L. Buzbee and Mrs. P. L. Buzbee.

Was taken up and read the second time in full.

Senator Ward offered the following amendment to Senate Bill No. 161:

In Section 1 and 2, Sec. 1 line 1, and Sec. 2, line 4, (typewritten bill) strike out the words: ten thousand dollars (\$10,000) wherever it appears, and insert in lieu thereof the following: twenty-five hundred (\$2500.00).

Senator Ward moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ward moved that the rules be waived and Senate Bill No. 161, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 161, as amended, was read the third time in full.

Pending roll call on Senate Bill No. 161, Senator Whitaker moved that the hour of adjournment be extended seven (7) minutes.

Which was agreed to and it was so ordered.

Upon the passage of Senate Bill No. 161, as amended, the roll was called and the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Dame, Dugger, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Mapoles, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Whitaker, Wilson—27.

Nays—Senators Clarke, Gillis, Hinely, Lewis—4.

So the bill passed, as amended, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature, and was referred to the Committee on Engrossed Bills.

By unanimous consent Senator Kelly (11th) withdrew Senate Bills Nos. 85, 86 and 87.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 4:07 o'clock P. M., until 11:00 o'clock A. M., Friday, April 28, 1939.